

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**CORRECTED  
FISCAL NOTE**

**HB 27 – SB 1721**

February 23, 2009

**SUMMARY OF BILL:** Increases the penalty for knowingly making a false report of child abuse or neglect from a Class E to a Class D felony if the person making the false report is a party to a custody or visitation determination and the person against whom the complaint is made is involved in the determination.

**ESTIMATED FISCAL IMPACT:**

On January 23, 2009, we issued a fiscal note indicating an *increase in state expenditures of \$29,200/Incarceration*. Based on further review and additional information provided by the Department of Correction (DOC), the fiscal impact of this bill is as follows:

**(CORRECTED)**

**Increase State Expenditures - \$26,500/Incarceration\***

Assumptions:

- According to DOC, the average post-conviction time served for a Class D felony is 2.43 years. One Class D felony every other year with 2.43 years time served (886.22 days). The annualized time served per conviction is 443.11 days (0.50 annual number of convictions x 886.22 days served).
- According to DOC, the average operating cost per offender per day for calendar year 2009 is \$59.80. The annualized cost per conviction is \$26,497.98 (443.11 days x \$59.80).
- No significant incarceration cost increase will occur due to population growth in this period.

\*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**HB 27 – SB 1721 (CORRECTED)**

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/lsc